

Robert S. Jacobs  
Vice President & General Counsel  
Time Warner New York City Cable Group



T I M E W A R N E R

Via Federal Express and Telecopier

May 20, 1993

Mr. Sun Young Joo  
General Manager  
Mountain Broadcasting Corporation  
Box 156  
500 Weldon Road  
Lake Hopatcong, New Jersey 07849-0156

RE: Carriage of Television Broadcast Station WMBC-TV  
(Channel 63), Newton, New Jersey

Dear Mr. Joo:

Thank you for your letters of May 6, 1993, regarding the quality of your station's signal at the principal headends of the cable systems which comprise the Time Warner Cable New York City Group (the "Systems") and possible indemnification of the Systems for carriage of the station's signal.

With regard to copyright fees, WMBC-TV is one of several independent stations in the New York ADI not currently carried by the Systems that are now potentially "must-carry" stations under the new FCC rules but are considered "distant" signals for copyright purposes. The Systems currently carry one distant independent broadcast station, WTBS. If WMBC-TV were to be the second "distant" (for copyright purposes) independent station added to the Systems' lineup, the copyright fee for carriage of WMBC-TV would be calculated at the rate of .00563 multiplied by the Systems' revenues from secondary transmission service for the relevant accounting period.

The Systems are projected to earn revenues from secondary transmission service during the first accounting period of 1993 (from January 1 to July 31) of \$143,079,000. If the Systems were to begin carriage of Station WMBC-TV on or about June 2, 1993, they would be required to pay copyright

C:MSTCARRY.LTR-46

- 2 -

royalty fees for carriage of the station as if it were carried for the entire accounting period. Therefore, the amount for which WMBC-TV must indemnify the Systems for the first half of 1993 is projected to be \$805,535 (.00563 X \$143,079,000) if WMBC-TV is the second independent added. The Systems would expect the station to provide them with a letter of credit or other similar adequate assurance that the actual copyright fee will be paid when due. As you have requested, I am enclosing copies of the Systems' Statements of Account for the second accounting period of 1992.

If WMBC-TV is prepared to make the above-described commitment, please contact me. We can then schedule a meeting of our technical people to address the issue of signal quality. I look forward to hearing from you.

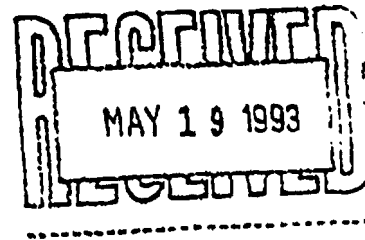
Sincerely,



Robert S. Jacobs  
Vice President and General Counsel

Enclosures

Comcast Cablevision, Inc.  
5 Shelter Rock Road  
Danbury, CT 06810  
(203) 792-0900



May 14, 1993

Sun Young Joo, General Manager  
WMBC-TV  
Box 156  
Lake Hopatcong, NJ 07849-0156

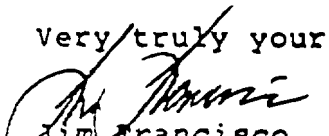
Dear Mr. Joo:

This is in response to your letter of May 6, 1993 requesting an estimate of the semi-annual copyright liability which Comcast Cablevision of Danbury, Inc. would incur as a result of carriage of WMBC-TV.

Comcast Cablevision of Danbury, Inc. reports on Form 3 as a long form system and reported revenues of \$3,310,069 for the second half of 1992. A copy of our 1992/2 Statement of Account is enclosed for your information. WMBC is licensed in Newton, New Jersey which is more than 35 miles from our system. It is also my understanding that WMBC does not place a Grade-B over our system. Therefore, the station would be non-permitted distant independent signal to our system for which we would have to pay an incremental 3.75% of gross revenues in royalties. Based on our 1992/2 revenues, this would amount to approximately \$124,000 per accounting period. This charge would apply in any accounting period during which WMBC was carried by the system, even if it were for less than the entire accounting period. If you remain interested in carriage, I will send you an indemnification agreement in which WMBC agrees to reimburse Comcast for the actual amount of any additional copyright charges incurred due to the carriage of WMBC and, given the large sum involved, payment of the charges in advance.

Finally, you should note that the above estimate of copyright liability is based on system revenue as of the end of 1992. The actual copyright liability we would incur would fluctuate as system revenues fluctuate, either up or down.

Very truly yours,

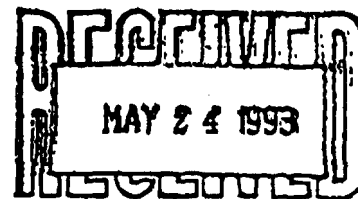
  
Jim Francisco  
General Manager

# UNITED VIDEO CABLEVISION, INC.



## CERTIFIED MAIL

May 21, 1993



Mr. Sun Young Joo  
General Manager  
Mountain Broadcasting Corporation  
Box 156  
500 Weldon Road  
Lake Hopatcong, NJ 07849-0156

RE: Your Letter of May 6, 1993

Dear Mr. Joo:

The estimated additional copyright assessment for carriage of WMBC on the North Salem, New York system would be approximately \$13,269.00 semi-annually. This is our best estimate based on previous filings. As the copyright liability will fluctuate, should you elect mandatory carriage, we will need a written indemnification commitment before carriage commences. Enclosed please find our most recent Copyright Statement of Account.

The North Salem system has 4,673 subscribers.

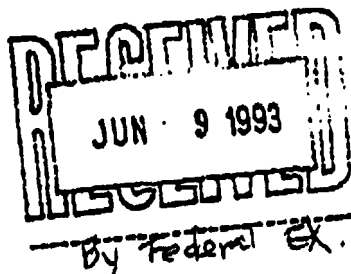
The technical sheets used to determine signal quality are attached. Please contact our Director of Engineering at the address below if you have any questions.

Very truly yours,

Joann F. Mirone  
Director of Administration

JFM:jm

Enclosure



**CABLEVISION**

June 7, 1993

Mr. Sun Y. Joo  
General Manager  
WMBC  
500 Weldon Road  
Lake Hopatcong, NJ 07849

Re: Copyright Indemnification

Dear Mr. Joo:

By letters dated on or about April 30, 1993, cable television systems owned by Cablevision Systems Corporation and its affiliates and subsidiaries ("Cablevision") in the New York Area of Dominant Influence (the "New York ADI") advised you that although your station qualifies as a "local" signal on the systems, there may be a cost to Cablevision due to the fact that for many of the systems, your station is "distant" under Federal Copyright legislation.

By letters received by our systems on or about May 6, 1993, you agreed to pay any such increase. On or about May 28, 1993, the systems forwarded to you letters explaining our respective responsibilities in connection with the copyright provisions of the 1992 Cable Act, including estimates of potential copyright liability and a request that you obtain a letter of credit in that amount in our favor.

We estimate that carrying your station on all of our systems across the New York ADI would result in an aggregate semi-annual copyright liability of \$3,988,000, as more particularly set forth on Exhibit A attached hereto and incorporated herein (the "Estimate").

Since WMBC is a new station without an established financial history and the potential liability is so substantial, and since the resulting liability to Cablevision in the event of your default would likewise be substantial, Cablevision requests that you either provide a demonstration of your station's ability to incur such a sizeable obligation, or that you post a bond or letter of credit.

Mr. Sun Y. Joo  
Page 2  
June 7, 1993

Because we incur the liability on the first day of each accounting period even though we do not calculate and pay the exact amount until several months thereafter, and because the FCC has held that cable operators are entitled to receive a "written commitment from a broadcaster that ensures that the payments will be made once the actual amount of copyright liability is determined" (Report and Order, FCC 930144, released March 29, 1993, at 68), we ask that you agree to the following:

1. Once your signal meets FCC requirements and you agree to make the required copyright payments, we will carry your station's signal during the copyright accounting period commencing on July 1, 1993, and ending on December 31, 1993, (the "First Accounting Period") and for subsequent accounting periods unless you notify us no later than ninety (90) days prior to the end of any accounting period that you do not wish for this arrangement to continue.

2. Within thirty (30) days of our notice to you, you shall reimburse Cablevision for any copyright liability that we incur as a result of carrying your station's signal during the prior accounting period.

3. In light of the size of the Estimate, we believe it is reasonable to request that you post a bond or letter of credit, or provide Cablevision with some other evidence of your station's ability to meet this obligation. Our carriage obligation hereunder will not commence until we receive a copy of the bond or letter of credit.

In the event you demand that we commence carriage of your station's signal prior to July 1, 1993, you will be responsible for reimbursing Cablevision for its copyright liability for the entire copyright accounting period commencing January 1, 1993, and ending on June 30, 1993. You will be required to remit to Cablevision, on or before August 1, 1993, an amount equal to the Estimate. Once the actual copyright liability has been determined, Cablevision will either refund any overpayment or request that you remit any difference between the Estimate and the actual copyright liability.

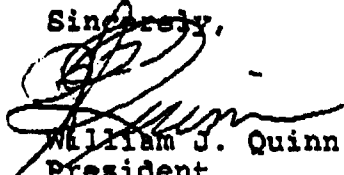
If, however, you postpone initial carriage until July 1, 1993, your initial copyright liability will be for the second half of 1993. You will be required to remit to Cablevision, on or before February 1, 1994, an amount equal to the Estimate, subject to the adjustment as set forth above.

Cablevision reserves all rights it may have with respect to its obligation to continue to carry your station in the future pursuant to the Communications Act of 1934, as amended and the rules and regulations of the FCC promulgated thereunder.

Mr. Sun Y. Joo  
Page 3  
June 7, 1993

Kindly acknowledge your agreement to the foregoing by signing below and returning same to the undersigned. We look forward to working with you.

Sincerely,



William J. Quinn  
President  
Cable-Operations

Agreed:

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JDH31/p.4-6/6-93

EXHIBIT A

CABLEVISION SYSTEMS CORPORATION  
CORPORATE SURVEY OF ESTIMATED COPYRIGHT LIABILITY

WMBC

July 1, 1993 - December 31, 1993

<u>SYSTEM</u>	<u>SEMI-ANNUAL COPYRIGHT LIABILITY (ESTIMATED)</u>
Western Long Island (Woodbury)	\$2,050,000
Hauppauge	725,000
Riverhead	231,000
East Hampton	66,000
Bridgeport	424,000
Norwalk	79,000
Bayonne	10,000
Bergen	30,000
Newark	21,000
Dutchess	37,000
Port Chester	58,000
Yonkers	31,000
Yorktown	126,000
*Bronx	51,000
*Brooklyn	<u>49,000</u>
Total	\$3,988,000

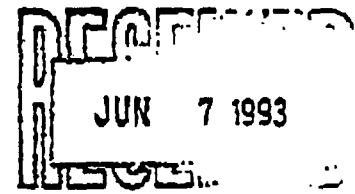
- \* Since the New York City Systems are still under construction and are expanding both their revenues and their subscriber bases, estimating future copyright liability based upon historical data is at best imprecise. At this time, we are estimating that the copyright liability for our New York City Systems for the period commencing January 1, 1994, and ending June 30, 1994, will be as follows: (i) Bronx - \$62,000; (ii) Brooklyn - \$61,000.

JDH31/p7





TCI of New York, Inc.



6710-2

June 2, 1993

Mr. Sun Young Joo  
WMBC-TV 63 Mountain Broadcasting Corporation  
Box 156 500 Weldon Road  
Lake Hopatcong, NJ 07849-0156

Dear Mr. Joo:

We notified you earlier that increased Copyright liability may impact the must carry rights of WMBC-TV 63 on our systems with principal head ends located in Brookhaven, Mamaroneck, Poughkeepsie, Kingston, Rhinebeck, and Woodstock, NY. In response to your requests, we estimate that the increase will be approximately \$2,748,567, \$0.00, \$612,960, \$572,802, \$139,279, and \$110,962, respectively, for the current must carry election period (1993 - 1996).

Please keep in mind that our business is not static and many factors affect the Copyright fees we pay such as headend consolidations, acquisitions and, of course, internal growth. Therefore, Copyright costs may increase over time for a variety of reasons, including changes to our service offerings and/or prices. If you agree to indemnify *Brookhaven Cable TV, Inc., d/b/a TCI Cable of Brookhaven, UA-Columbia Cablevision of Westchester, Inc., d/b/a TCI Cable of Westchester, and TCI of New York, Inc. (head ends located in Poughkeepsie, Kingston, Rhinebeck, and Woodstock, NY only)*, respectively, for any Copyright increase associated with carriage of your signal, sign an indemnification agreement (sample attached), and provide a performance bond, letter of credit, or other financial instrument, WMBC-TV 63 could then be added to the aforementioned cable system head ends, provided there are no signal quality issues.

You will also find attached, our latest copyright Statement of Account for each head end in question, as you requested.

I'm available to discuss the particulars of this with you at your convenience.

Very truly yours,

Lloyd S. Riddle  
State Manager

Attachment

Attachment B

### DISTANCE CALCULATIONS

The distances between Newton, New Jersey and the other communities listed in the New York market designation were calculated using the method set forth in Section 73.208(c) of the Commission's rules and were based on use of the following coordinates:

#### Newton, New Jersey

41-03-06  
74-45-05

#### New York, New York

40-45-06  
73-59-39

#### Newark, New Jersey

40-44-14  
74-10-19

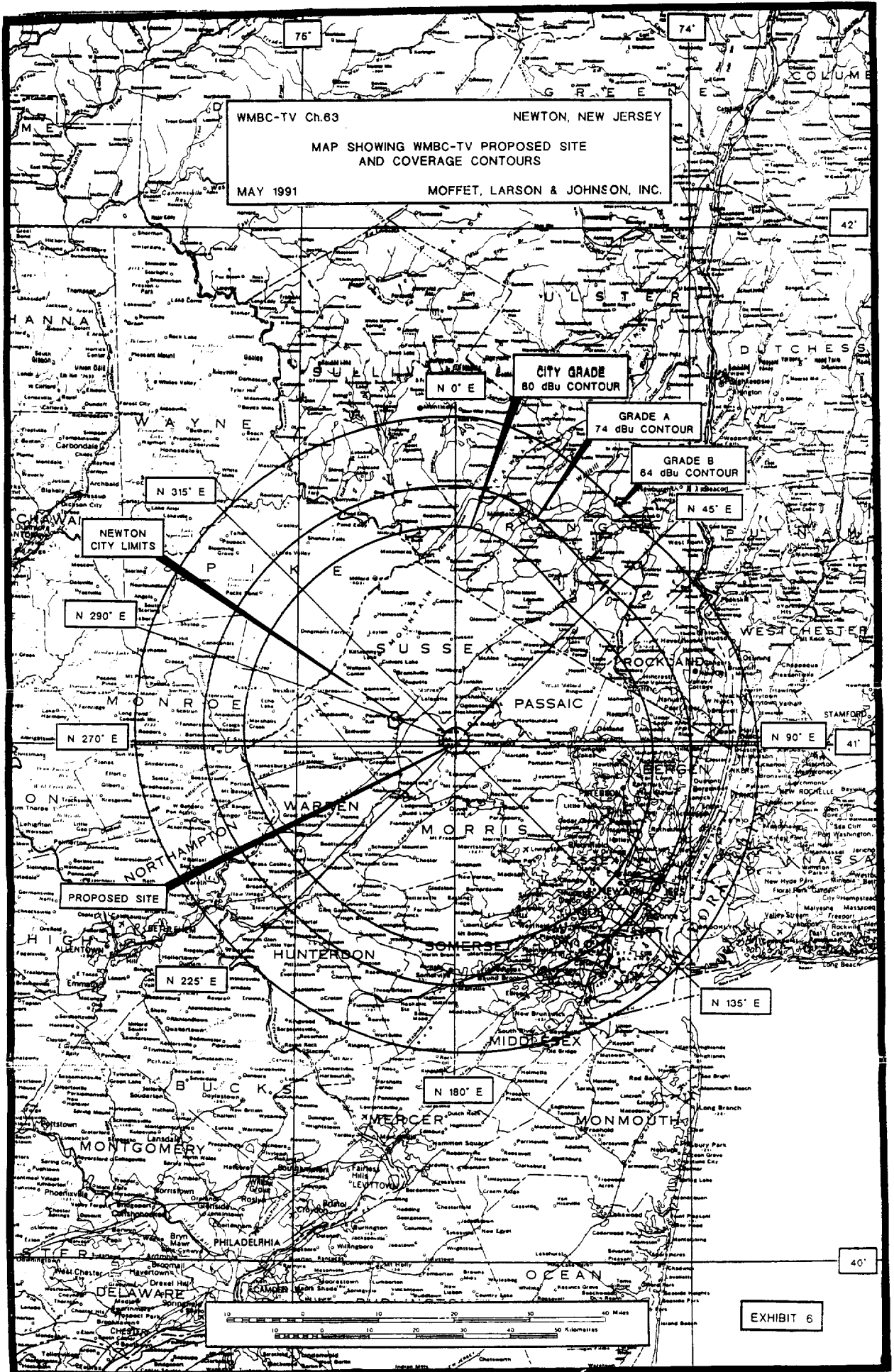
#### Paterson, New Jersey

40-54-51  
74-09-51

#### Linden, New Jersey

40-37-57  
74-15-22

Attachment C



Attachment D

# WMBC-TV 63 Sample Programming Schedule, January 1993

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	
5:00 a	News Hour					News Hour	News Hour	5:00 a
5:30 a								5:30 a
6:00 a	FamilyNet Drama					Beverly Exercise	Beverly Exercise	6:00 a
6:30 a	FamilyNet Music					Quigley's Village	Quigley's Village	6:30 a
7:00 a	Gaudino Exercise Show					America's Backyard	Over-the-Hill Gang	7:00 a
7:30 a	Early Morning Movie					Captain Hook		7:30 a
8:00 a						Sunshine Factory	Hanguk Christian	8:00 a
8:30 a						Kids Like You	Broadcasting	8:30 a
9:00 a						Quigley's Village	Beverly Exercise	9:00 a
9:30 a	Morning Movie					Phineas T. Boggs/Kids	Lifestyle Magazine	9:30 a
10:00 a						Just Kids	Morning Movie	10:00 p
10:30 a						Joy Junction		10:30 a
11:00 a						David Wade/Cooking		11:00 a
11:30 a	News 63					News 63	News 63	11:30 a
12:00 N	High Noon Movie					Freshwater Adventures	High Noon Movie	12:00 N
12:30 p						Outdoor Gazette		12:30 p
1:00 p						Outdoor Adventures		1:00 p
1:30 p						Sportaman's Showcase		1:30 p
2:00 p	Food & Fitness					Sports Training	Mac Today	2:00 p
2:30 p	Strange Paradise					Sports Variety	How to with Pete	2:30 p
3:00 p	Cartoon Classics					B.W.'s Fishing Diary	Boxing Week	3:00 p
3:30 p	Hooked on Phonics					Sportfishing the NE	Sportaman's Showcas	3:30 p
4:00 p	Afterschool Music Videos					Reel Adventures	Sunday Afternoon	4:00 p
4:30 p						Sports Variety	at the Movies	4:30 p
5:00 p	Captain Hook	Quigley's Village	Joy Junction	Kids Like You	Devey & Goliath	Outdoors with D. Durham		5:00 p
5:30 p	Sunshine Factory					Outdoor Encounters	Christian Find Guide	5:30 p
6:00 p	Cisco Kid	Range Riders	Judge Roy Bean	26 Men	Mr. & Mrs. North	Best of B. Dance/Fishing	Country Videos	6:00 p
6:30 p	News 63					News 63	News 63	6:30 p
7:00 p	Community Program					Community Program	Community Program	7:00 p
7:30 p	Annie Oakley	Long John Silver	Robin Hood	Foreign Legionaire	Northwest Passage	Texaso Star	Super Handyman	7:30 p
8:00 p	Evening Movie				Act It Out	Homeland Harmonies	Sherlock Holmes	8:00 p
8:30 p					Music Videos	At the Stage Door	Gang Busters	8:30 p
9:00 p						Evening Movie	Evening Movie	9:00 p
9:30 p								9:30 p
10:00 p	COPE							10:00 p
10:30 p								10:30 p
11:00 p	Community Program					Community Program	Community Program	11:00 p
11:30 p	Freshwater Adventr	Outdoor Adventures	Sports Training	B.W.'s Fishing Diary	Reel Adventures	Music Videos	Music Videos	11:30 p
12:00M	Midnight Movie					Midnight Movie	Midnight Movie	12:00M
12:30 a								12:30 a
1:00 a								1:00 a
1:30 a								1:30 a
2:00 a	Country Music Videos					Latenight Movie	Lifestyle Magazine	2:00 a
2:30 a	Cartoon Classics						Latenight Movie	2:30 a
3:00 a	Cisco Kid	Range Riders	Judge Roy Bean	26 Men	Mr. & Mrs. North			3:00 a
3:30 a	Annie Oakley	Long John Silver	Robin Hood	Foreign Legionaire	Northwest Passage			3:30 a
4:00 a	Something Beautiful					Lifestyle Magazine		4:00 a
4:30 a						Plant Grooming	Super Handyman	4:30 a

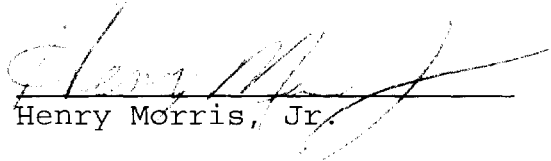
**CERTIFICATE OF SERVICE**

I, Henry Morris, Jr., an administrative assistant in the law firm of Koteen & Naftalin, hereby certify that on the 20th day of December, 1993, a copy of the foregoing "Comments" was deposited in the United States mail, first class postage prepaid, addressed to the following, except where service by hand delivery is otherwise shown:

\*Roy J. Stewart, Esquire  
Federal Communications Commission  
1919 M Street, N.W., Room 314  
Washington, DC 20554

\*Alan E. Aronowitz, Esquire  
Federal Communications Commission  
2025 M Street, N.W., Room 8002  
Washington, DC 20554

Jerold L. Jacobs, Esquire  
Rosenman & Colin  
1300 19th Street, N.W.  
Suite 200  
Washington, D.C. 20036  
(Counsel for WLIG-TV)

  
Henry Morris, Jr.

\*VIA HAND DELIVERY